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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 08/479,077

Filed: July 6, 1995

By: Garcia et al.

For: SQUARYLIUM COMPOUNDS, AND PROCESSES AND  
INTERMEDIATES FOR THE SYNTHESIS OF THESE COMPOUNDS

Art Unit: 1209

Examiner: Lamkin

Cambridge, Massachusetts 02139

May 20, 2002

**RESPONSE TO SUPPLEMENTAL EXAMINER'S ANSWER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Supplemental Examiner's Answer (Paper No. 17) stated that the Amendment After Final Rejection, filed October 27, 1997, has been entered. Enclosed herewith is a corrected page 2 for the Appeal Brief which now correctly describes the Status of Amendments.

The Supplemental Examiner's Answer also stated that the Supplemental Appendix, filed March 6, 2002 (Paper No. 16) has been entered and contains a correct copy of the claims on appeal. Further, it is stated that the new ground of rejection in the Examiner's Answer, dated September 11, 1997, has been overcome by the filing of the Supplemental Appendix.

It is requested that the Supplemental Appendix replace the previous defective Appendix.

Accordingly, it is believed that all the issues raised by the Board of Patent Appeals and Interferences in the Order Remanding To Examiner (Paper No. 14) have now been resolved. It is therefore requested that the application be resubmitted to the Board for a decision on the basis of the present record.

Respectfully submitted,

*Gaetano D. Maccarone*

Gaetano D. Maccarone  
Registration No. 25,173

Tel.: 781-386-6405

OFFICIAL

*entered  
No action required  
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P. 2

Serial No. 08/479,077

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to Examiner Lamkin via facsimile no. 703-308-7922 on the date shown below.

Date: May 20, 2002



Gaetano D. Maccarone  
Registration No. 25,173

*Garcia et al.*  
*Serial No.: 08/479, 077*  
*Appeal Brief*  
*Page 2 (Corrected)*

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### **AUTHORITY RELIED UPON BY APPLICANTS**

*In re Marosi, Stabenow, and Schwarzmann*, 218 USPQ 289 (CAFC 1983)

Sir:

This is an appeal from the final rejection of all claims of the above application as set forth in the Office Action (Paper No. 7) mailed January 7, 1997.

### **REAL PARTY IN INTEREST**

The real party in interest in this appeal is Polaroid Corporation, a corporation organized and existing under the laws of the State of Delaware, of 549 Technology Square, Cambridge, MA 02139-3589.

### **RELATED APPEALS AND INTERFERENCES**

Application Serial No. 08/052,212, from which the present application is divided, is currently on appeal; the rejections being considered in this appeal include, *inter alia*, a 35 USC 103 rejection based, in part, upon U.S. Patent 4,508,811 to Gravesteijn, the same reference being applied in the present case. Although the rejections under appeal in Application Serial No. 08/052,212 are not very similar to those in the present appeal, in the interests of efficiency, the Office may wish to have the same panel consider both appeals. There are no related interferences.

### **STATUS OF CLAIMS**

Claims 15-24 are pending in this application, claims 14 and 25-44 having been cancelled; claims 1-13 were cancelled at the time of filing this divisional application. Claims 15-24 stand finally rejected; no claim is objected to.

### **STATUS OF AMENDMENTS**

An Amendment After Final Rejection was filed 10/27/97. The amendment has been entered (see page 2 of Supplemental Examiner's Answer - Paper No. 17).